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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CRIMINAL NO. 11- 20531

Plaintiff,

HON. VICTORIA A. ROBERT

-vs-

D-3 **MARCUS BROWN,**

Defendant.

FILED
SEP - 7 2011
CLERK'S OFFICE, DETROIT-PSG
U.S. DISTRICT COURT

SECOND SUPERSEDING INFORMATION

THE UNITED STATES ATTORNEY CHARGES:

COUNT ONE

(18 U.S.C. § 371 — Conspiracy)

D-2 **MARCUS BROWN,**

From approximately May 2009 until approximately March 2010, in the Eastern District of Michigan, defendant Marcus Brown did unlawfully, willfully, and knowingly conspire and agree with other persons to:

(A) Make a claim to the United States Department of Housing and Urban

Development for the payment of money pursuant to a change order for the

abatement of asbestos, knowing the claim to be false, fictitious and fraudulent , in

violation of Title 18 United States Code, 287;

(B) Make a false material statement, representation, or certification in a document

required pursuant to the federal Clean Air Act, Title 42 United States Code, Sections 7401 to 7671q, to be either filed or maintained with respect to the requirements imposed by the Administrator of the Environmental Protection Agency, in violation of Title 42, United States Code, Section 7413(c)(2)(A).

(C) Corruptly give approximately \$10,000 to William Morgan, the supervisor of the Charter Township of Royal Oak, with the intent to influence and reward Morgan in connection with a business, transaction, or series of transactions of Royal Oak Township involving \$5,000 or more, during a period of time when Royal Oak Township, a local unit of government, received Federal assistance in excess of \$10,000 during a one year period, in violation of Title 18, United States Code, Section 666(a)(2).

OVERT ACTS

In furtherance of the unlawful conspiracy, and to effect its objectives, the co-conspirators committed the following overt acts, among others:

1. On or about March 16, 2010, a fraudulent change order was submitted to Oakland County officials who were responsible for administering a demolition project funded by United States Department of Housing and Urban Development.
2. On or about January 25, 2010, an asbestos notification form inspection report was submitted to the Michigan Department of Environmental Quality in connection with the above mentioned project.

3. On or about August 24, 2010, \$10,000 was given to William Morgan by means of a wire transfer.

All in violation of Title 18, United States Code, Section 371.

BARBARA MCQUADE
United States Attorney

s/Robert P. Cares

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s/Jennifer Blackwell

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Dated: September 7, 2011

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|--|----------------------------------|--------------------------------|
| United States District Court Eastern District of Michigan | Criminal Case Cover Sheet | Case Number 11-20531 |
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Reassignment/Recusal Information This matter was opened in the USAO prior to August 15, 2008 [NO]

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| Companion Case Information | Companion Case Number: 11-20531 |
| This may be a companion case based upon LCrR 57.10 (b)(4) ¹ : | Judge Assigned: Honorable Victoria A. Roberts |
| X Yes <input type="checkbox"/> No | AUSA's Initials: RPC <i>RPC</i> |

Case Title: USA v. D-3 Marcus Brown

County where offense occurred : Oakland County

Check One: ☒ **Felony** ☐ **Misdemeanor** ☐ **Petty**

☐ Indictment/ ☐ Information --- no prior complaint.
☐ Indictment/ ☐ Information --- based upon prior complaint [Case number:]
☐ Indictment/ ☒ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: 11-20531

Judge: Honorable Victoria A. Roberts

- ☐ Original case was terminated; no additional charges or defendants.
☐ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☒ Embraces same subject matter but adds the additional defendants or charges below:


Defendant name
D-3 Marcus Brown

Charges
18 U.S.C. § 371 - Conspiracy

Prior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

September 7, 2011
Date


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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.